

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARQUIS RAMEY,

Plaintiff,

v.

ROBERT MARSH, *et al.*,

Defendants.

No. 4:21-CV-01018

(Chief Judge Brann)

**ORDER**

**AND NOW**, this 7<sup>th</sup> day of February 2022, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Ramey's amended complaint (Doc. 6) is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted, as follows:
  - a. Ramey's First Amendment retaliation claim is **DISMISSED** with prejudice.
  - b. Ramey's Eighth Amendment failure-to-protect and Fourteenth Amendment procedural due process claims are **DISMISSED** without prejudice.
2. Ramey shall have **21 days**—that is, until **February 28, 2022**—to file his all-inclusive, second amended complaint. Ramey need not seek leave to amend, as the Court is granting such leave in this order.
3. If Ramey does not timely file a second amended complaint, the Clerk of Court shall CLOSE this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann  
Chief United States District Judge